



REGULAR MEETING OF THE SAN MARCOS PLANNING AND ZONING COMMISSION

Tuesday, August 23, 2011, 6:00 p.m.
City Hall Council Chambers
630 E. Hopkins Street

Bill Taylor, Chair
Bucky Couch, Vice-Chair
Sherwood Bishop, Commissioner
Randy Bryan, Commissioner
Curtis O. Seebeck, Commissioner
Chris Wood, Commissioner
Travis Kelsey, Commissioner
Kenneth Ehlers, Commissioner
Carter Morris, Commissioner

AGENDA

1. **Call to Order.**
2. **Roll Call.**
3. **Chairperson's Opening Remarks.**
4. ***NOTE:*** *The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*
5. **Citizen Comment Period.**

Consent Agenda

6. **Consider approval of the minutes from the Regular Meeting on August 9, 2011.**
7. **PC-11-30(03) (Promiseland Church - Final Plat).** Consider possible action on a request by Hunter Shadburne, on behalf of Promiseland San Marcos, Inc. for statutory denial of a final plat for approximately 20.27 acres of property located at 1650 Lime Kiln Road.

Public Hearing

8. **PC-11-29(04) (Warren Subdivision).** Hold a public hearing and consider possible action on a request by HMT Engineering and Construction, on behalf of Falcon International Bank, to vacate and replat Lot 2 of the Warren Properties Subdivision, and Lot 1, Warren Properties Subdivision Number 2 and establishing Lots 1A and 1B of the Warren Properties Subdivision Number 3, San Marcos, Hays County, Texas, located at 600 Wonder World Drive.
9. **LUA-11-17 (500 blk. of Hopkins Street).** Hold a public hearing and consider possible action on a request by Frank Gomillion, on behalf of Joe Wissel, Edward Mihalkanin, Timothy Williamson, Richard Glaubinger, and Bernice Rainosek for approval of a Future Land Use Map Amendment from

Low Density Residential (LDR) to Mixed Use (MU) on 1.1 +/- acres being 1/2 Lot 7, 1/2 Lot 6, NW 1/2 Lot 5, Part of Lot 4, Lot 3, Block 2, Lindsey & Harvey Addition, located at 511, 517, 519-525, and 537 W. Hopkins Street.

10. **ZC-11-23 (511 W. Hopkins Street)** Hold a public hearing and consider possible action on a request by Frank Gomillion, on behalf of Joe Wissel for approval of a zoning change from SF-4.5 Single Family Residential to Mixed Use (MU) for 0.19 +/- acres being 1/2 of Lot 7, Block 2, Lindsey & Harvey Addition 12-26, located at 511 W. Hopkins Street.
11. **ZC-11-24 (517 W. Hopkins Street)** Hold a public hearing and consider possible action on a request by Frank Gomillion, on behalf of Edward Mihalkanin for approval of a zoning change from SF-4.5 Single Family Residential to Mixed Use (MU) for 0.198 +/- acres being 1/2 Lot 6, Block 2, Lindsey & Harvey Addition 12-26, located at 517 W. Hopkins Street.
12. **ZC-11-25 (519-525 W. Hopkins Street)** Hold a public hearing and consider possible action on a request by Frank Gomillion, on behalf of Timothy Williamson for approval of a zoning change from SF-4.5 Single Family Residential to Mixed Use (MU) for 0.1908 +/- acres being NW 1/2 Lot 5, Block 2, Lindsey & Harvey Addition 12-26, located at 519 - 525 W. Hopkins Street.
13. **ZC-11-26 (531 W. Hopkins Street)** Hold a public hearing and consider possible action on a request by Frank Gomillion, on behalf of Richard Glaubinger for approval of a zoning change from SF-4.5 Single Family Residential to Mixed Use (MU) for 0.203 +/- acres being Part of Lot 4, Block 2, Lindsey & Harvey Addition 12-26, located at 531 W. Hopkins Street.
14. **ZC-11-27 (537 W. Hopkins Street)** Hold a public hearing and consider possible action on a request by Frank Gomillion, on behalf of Bernice Rainosek for approval of a zoning change from SF-6 Single Family Residential to Mixed Use (MU) for 0.35 +/- acres being Lot 3, Block 2, Lindsey & Harvey Addition 12-26, located at 537 W. Hopkins Street.
15. **WPP2-11-10 (Holt Property)** Hold a public hearing and consider possible action on a request by Byrn & Associates, Inc., on behalf of Armbruster Holt, LTD, for a Qualified Watershed Protection Plan Phase 2 for reclamation of floodplain within a tract of approximately 36 acres at the northeast intersection of IH-35 and East River Ridge Parkway.

Consideration

16. **PVC-11-03 (San Marcos Community Church).** Consider a request by San Marcos Community Church, on behalf of Texas Conference Association of 7th Day Adventists, for a variance to Section 6.7.2.1(j) of the Land Development Code which requires that lot depth shall not exceed three times the lot width for lots platted after March 10, 1975 for an approximately 22.99 acre tract out of the Rebecca Brown Survey in Hays County, Texas.
17. **ZC-11-22 (Lockhart Street- Discussion and Action).** Consider a request by Ramsey Engineering on behalf of Craig A. Coffee for a zoning change from Duplex Restricted (DR) to Townhome (TH) for approximately 1.10 acres, Lots 38, 39, and 50 of the AM Ramsay Subdivision, located at 512 Lockhart Street.
18. **PDD-11-06 (Lockhart Street- Discussion and Action).** Consider a request by Ramsey Engineering on behalf of Craig A. Coffee for a PDD overlay district for approximately 1.10 acres, Lots 38, 39, and 50 of the AM Ramsay Subdivision, located at 512 Lockhart Street.

19. Discussion Items.

Commission members and staff may discuss and report on items related to the Commission's general duties and responsibilities. The Commission may not take any vote or other action on any item other than to obtain a consensus regarding items that will be placed on future agendas for formal action.

Development Services Report

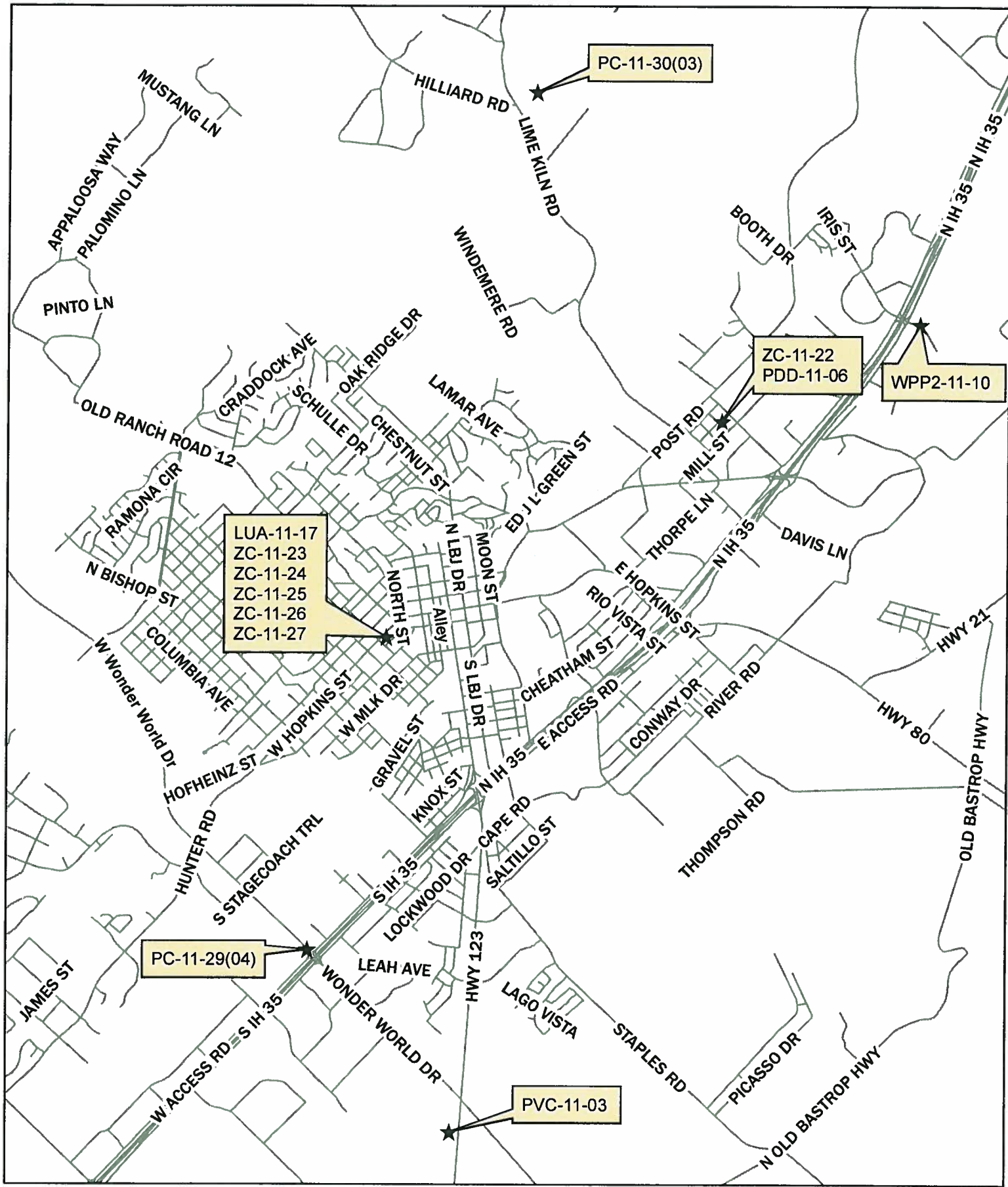
- a) Update on the community vision session – Dream San Marcos.

Commissioners' Report.

20. Questions from the Press and Public.

21. Adjourn.

Notice of Assistance at the Public Meetings: The San Marcos City Hall is wheelchair accessible. The entry ramp is located in the front of the building. Accessible parking spaces are also available in that area. Sign interpretative for meetings must be made 48 hours in advance of the meeting. Call the City Clerk's Office at 512-393-8090.



**Plannign and Zoning
Commission Meeting
Location Map
August 23, 2011**

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.



**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
August 9, 2011**

1. Present

Commissioners:

Bill Taylor, Chair
Bucky Couch, Vice-Chair
Sherwood Bishop
Travis Kelsey
Kenneth Ehlers
Carter Morris

City Staff:

Matthew Lewis, Development Services Director
Sofia Nelson, Chief Planner
Phil Steed, Planner
Francis Serna, Recording Secretary

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:00 p.m. on Tuesday August 9, 2011 in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Chair Taylor welcomed the audience.

4. *NOTE: The Planning & Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The Planning and Zoning Commission may also publicly discuss any item listed on the agenda for Executive Session;*

5. Citizen Comment Period

There were no citizen comments.

6. PC-11-28(2) (Royal Subdivision Phase 2) Consider a request by David Williamson, agent for Tucker Mach Development, on behalf of Keeling Family Limited Partnership and HSW Properties, LLC for approval of a preliminary plat for approximately 3.66 acres, more or less out of the J. m. Veramendi Survey No. 2, Abstract 17, City of San Marcos, Hays County – located at 1651 Post Road.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Morris, the Commission voted all in favor to approve PC-11-28(2) as submitted. The motion carried unanimously.

Public Hearing

7. CUP-11-11 (Showplace Cinema). Hold a public hearing and consider a request by Showplace Cinema Grill for a renewal of restricted conditional use permit to allow on-premise consumption of beer and wine at 321 N. LBJ Dr.

Chair Taylor opened the public hearing. There were no citizen comments and the public hearing was closed.

MOTION: Upon a motion made by Commissioner Ehlers and a second by Commissioner Bishop, the Commission voted all in favor to approve CUP-11-11 with the condition that the permit shall be valid for one (1) year, provided standards are met, subject to the point system. The motion carried unanimously.

8. ZC-11-22 (Lockhart Street- Discussion Only). Hold a public hearing and discuss a request by Ramsey Engineering on behalf of Craig A. Coffee for a zoning change from Duplex Restricted (DR) to Townhome (TH) for approximately 1.10 acres, Lots 38, 39, and 50 of the AM Ramsay Subdivision, located at 512 Lockhart Street.

9. PDD-11-06 (Lockhart Street- Discussion Only). Hold a public hearing and discuss a request by Ramsey Engineering on behalf of Craig A. Coffee for a PDD overlay district for approximately 1.10 acres, Lots 38, 39, and 50 of the AM Ramsay Subdivision, located at 512 Lockhart Street.

Chair Taylor opened the public hearing for ZC-11-22 and PDD-11-06.

Delores Garcia, 316 Uhland Road, stated that their concern is the congestion in the area. She felt that with additional townhomes the congestion will increase and become more hectic. She added that the school traffic is also bad. Ms. Garcia suggested that the townhomes be developed as one story instead of two story so that they can be compatible to the neighborhood. She mentioned that there is no play area if the townhomes were leased to families with children.

Sheila Hamilton stated she owns 505 & 507 Mill Street and 108 First Street. She stated that she didn't know about the request until a couple of days before the meeting. She commented that the apartments are beautiful but does not want them by her property. She asked the Commission to deny the request for townhomes and possibly consider residential. Ms. Hamilton mentioned that she doesn't mind them building something, but the current proposal is very dense. She asked if nothing else could be built on the property.

Saul Gonzales stated he owns property adjacent to the proposed apartment complex. He explained that the neighborhood has gone through a lot of changes which included Bobcat Village. He said the Village brought a negative impact to the neighborhood. Mr. Gonzales explained that the neighborhood met with the developers of the Village and were assured that a negative impact would not occur. He said that he has a problem with the density of the proposed development. He added that the development would increase traffic and parties in the neighborhood. He pointed out that he does not want to see another Craddock. He suggested that the townhomes have two or three bedrooms instead of four. He felt that the proposed development is not compatible to the neighborhood. Mr. Gonzales explained that seven years ago the City did a citywide rezoning and decided that duplex zoning would be best for the area. He added that he spoke to several residents and they were real upset with the proposed development that looks like an apartment complex. In addition, there is not any recreation area for children. Mr. Gonzales stated he was available to answer questions.

Henry Oles, owner of the Oles Mill across the street from the property. Mr. Oles stated that he is support of the project and feels that it is a tremendous improvement over the current use. He said that he has seen in the past year or two a deterioration of the neighborhood and feels this would be an upgrade to the neighborhood.

Marian Oles stated that she agrees and understands the neighbors' concerns regarding the amount of additional population added. She said they have been trying to keep the Mill property nice and it has been a struggle because of the properties around the Mill. She feels if the proposed development is kept nice and landscaped she is for it.

Craig A. Coffee, owner of the duplexes stated that the duplexes are much deteriorated. When he purchased the property, he thought that he could rehabilitate the property as he has done on the Blanco River property. Mr. Coffee stated he understands the concerns of neighborhood but limits financially, the project is tight and would like to point out that the size of the units are the same as the first floor of current unit. Mr. Coffee explained that the proposed units would increase only by 20 cars. He stated that he does not intend to sell the units. Mr. Coffee added that he keeps the other property very nice and well maintained. He feels that the property is risky in the proposed area and felt that it is a good infill situation. Mr. Coffee added that they have proposed screening the property.

There were no additional citizen comments and the public hearing was closed.

10. Discussion Items.

a. Updating Staff Reports

The Commission offered suggestions to the staff reports.

Development Services Report

a. CATS Grant

b. SmartCode design guidelines

c. Visioning Session

Matthew Lewis gave a brief report.

Commissioners' Report

Commissioner Bishop stated that at the last City Council and Planning Commission workshop there was an interest in a discussion concerning what kind of city do we want to be.

11. Consider approval of the minutes from the Regular Meeting on August 9, 2011.

MOTION: Upon a motion made by Commissioner Bishop and a second by Commissioner Kelsey, the Commission voted all in favor to approve the minutes of the Regular Meeting on July 26, 2011. The motion carried unanimously.

12. Questions and answers from the Press and Public.

There were no questions from the public.

13. Adjournment

Chair Taylor adjourned the Planning and Zoning Commission at 7: p.m. on Tuesday, August 9, 2011.

Bill Taylor, Chair

Bucky Couch, Vice-Chair

Sherwood Bishop, Acting Chair

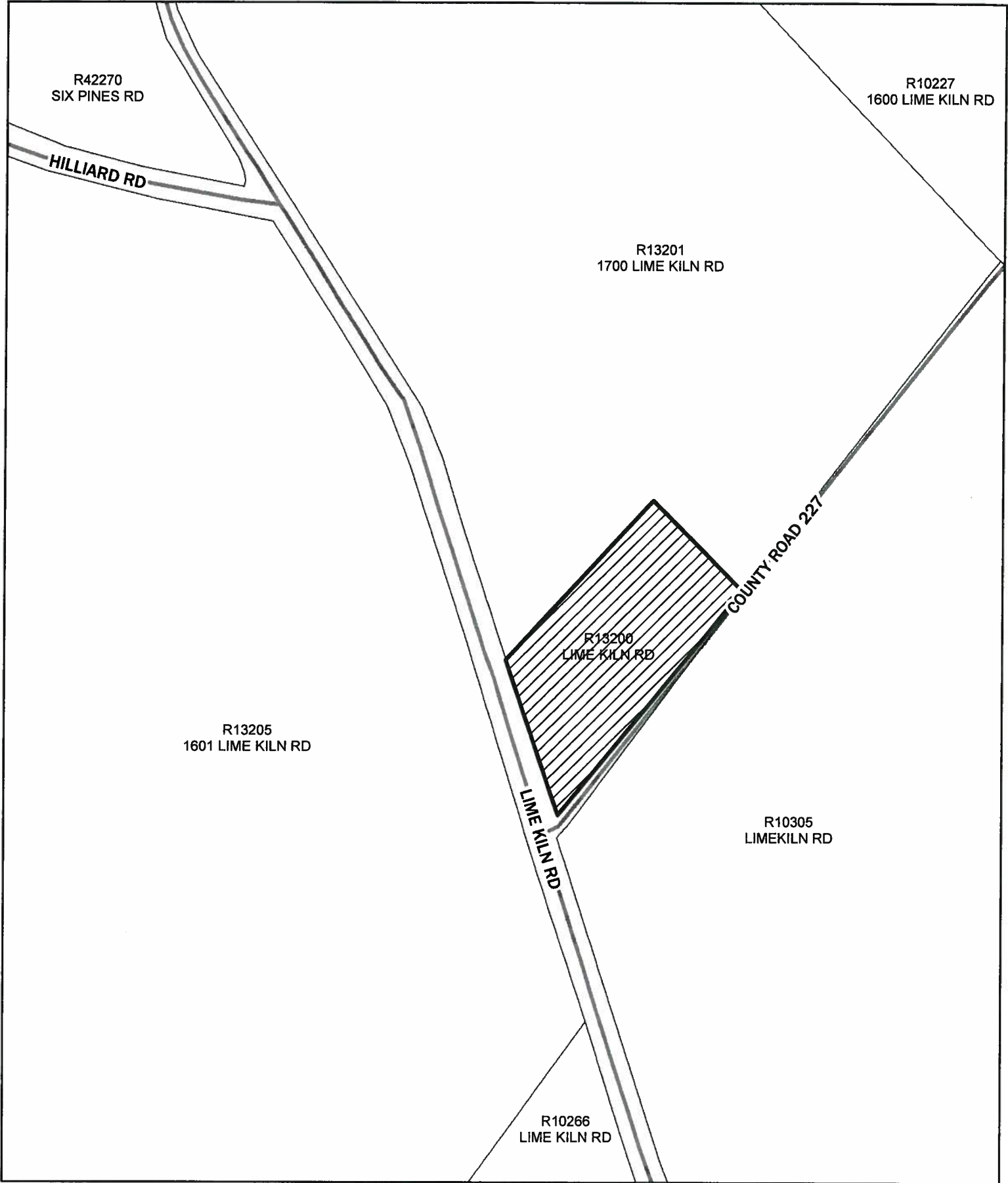
Travis Kelsey, Commissioner

Kenneth Ehlers, Commissioner

Carter Morris, Commissioner

ATTEST:

Francis Serna, Recording Secretary



PC-11-30(03)
Promiseland Church



Notification Buffer
(200 feet)

Site Location

Historic District

This map was created by Development Services
for reference purposes only. No warranty is made
concerning the map's accuracy or completeness.



0 135 270 540

PC-11-30(03) Final Plat Phase, Promiseland Church



Applicant Information:

Agent: Hunter Shadburne
2708 S. Lamar Blvd. Suite 200 A

Property Owner: Promiseland San Marcos, Inc.
1650 Lime Kiln Road
San Marcos, Texas 78666

Notification: Notification not required

**Type & Name of
Subdivision:** Final Plat, Promiseland Church

Subject Property:

Summary: The subject property is located on the corner of Cowan Road and Lime Kiln Road in the City's ETJ. The Land Development Code and Texas Local Government Code requires action to be taken on a plat within 30 days. This plat was submitted on August 10th and as a result will require action prior to September 9th. Staff has issued comments however the applicant has not yet addressed all of the comments. Staff is recommending statutory denial of the plat in order to keep the plat in process. Staff has discussed this recommendation with the applicant and the applicant has indicated that the plat will be amended to address staff comments and will be ready for P&Z's review on September 13th.

Zoning: Property is in the ETJ.

Planning Department Analysis:

Planning Department Recommendation	
	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
X	Statutory Denial

The Commission's Responsibility:

The Commission is charged with making the final decision regarding this proposed Subdivision Concept Plan. The City charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Prepared By:

Sofia Nelson

Chief Planner

August 17, 2011

Name

Title

Date

11/09

PC-11-30(03)

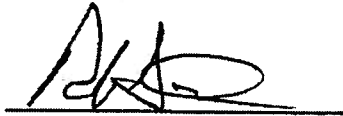
City of San Marcos
SUBDIVISION PLAT APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	<u>Hunter Shadburne</u>	<u>Promiseland San Marcos, Inc.</u>
Mailing Address	<u>2708 S. Lamar Blvd, suite 200A</u> <u>Austin, Tx 78704</u>	<u>1650 Lime Kiln RD</u> <u>San Marcos, Tx 78666</u>
Daytime Phone	<u>512-306-0018</u>	<u>512-845-4244</u>
Email Address	<u>hs@austincivil.com</u>	<u>rob@psmchurch.com</u>

AGENT ACKNOWLEDGEMENT STATEMENT:

I, Rob Steele, TRUSTEE FOR PROMISELAND SAN MARCOS Inc. acknowledge that I am the rightful owner of the property proposed for subdivision and hereby authorize Hunter Shadburne to serve as my agent to file this application and to work with the Responsible Official on my behalf during the subdivision platting process.

Signature of Property Owner:



Printed Name: Rob Steele

Date:

7/7/11

Signature of Agent:



Printed Name: Hunter Shadburne

Date:

7/7/11

2011 AUG 10 PM 4 10

Rec.

TYPE OF APPLICATION

- ☐ Subdivision Concept Plat ☐ Variance Section _____
- ☐ Preliminary Subdivision Plat ☐ Preliminary Development Plat
- ☒ Final Subdivision Plat ☐ Final Development Plat
- ☐ Minor Subdivision Plat
- ☐ Administrative Approval
- ☐ Amending Plat
- ☐ Subdivision Replat

SUBDIVISION IMPROVEMENT AGREEMENT

Whenever public improvements to serve the development are deferred until after Final Subdivision Plat or Final Development Plat approval, the property owner shall enter into a subdivision improvement agreement by which the owner covenants to complete all required public improvements no later than two years following the date upon which the Final Subdivision Plat or Final Development Plat is approved.

- ☐ I will complete all required public improvements prior to the Final Subdivision Plat or Final Development Plat
- ☐ I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City

Signature: _____

Printed Name: _____ Date: _____

SUBJECT PROPERTY

Subdivision Name: Promiseland San Marcos

Address or General Location: 1650 Lime Kiln RD

Proposed Number of Lots: 1 Acres: 20.227

Appraisal District Tax ID: R 13200, R113546, R 127780

Located In ☐ City Limits ☒ ETJ (County Hays)

☐ S.M. River Corridor ☐ Planned Development District

Proposed Use of Land Church

UTILITY SERVICE ACKNOWLEDGEMENTS:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations.

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider PEDERNALES ELECTRIC COOPERATIVE, INC.

Applicable Utility Service Code(s) A, D

Comments/Conditions EXISTING OVERHEAD LINE EXTENSION INTO PROPERTY.

Signature of Electric Company Official George Esquivel

Title DISTRICT PLANNING SUPERVISOR Date JULY 12, 2011

Name of Telephone Service Provider (see next page)

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title _____ Date _____

Name of Gas Service Provider N/A

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Gas Company Official _____

Title _____ Date _____

PROMISELAND SAN MARCOS

UTILITY SERVICE ACKNOWLEDGEMENTS:

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- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider

(see previous page)

Applicable Utility Service Code(s)

Comments/Conditions

Signature of Electric Company Official

Title

Date

Name of Telephone Service Provider

CENTURY LINK OF SAN MARCOS

Applicable Utility Service Code(s)

A

Comments/Conditions

Signature of Telephone Company Official

Kenny Z...

Title

ENG. SUPV.

Date

7/14/11

Name of Gas Service Provider

N/A

Applicable Utility Service Code(s)

Comments/Conditions

Signature of Gas Company Official

Title

Date

UTILITY SERVICE ACKNOWLEDGMENTS CONTINUED

Name of Water Service Provider onsite Water well

Applicable Utility Service Code(s) —

Comments/Conditions —

Signature of Water Utility Official: —

Title: —

Date: —

The use of either 1) — a private wastewater treatment system, or 2) — septic tanks, is approved for all lots in the proposed subdivision which are not required to connect to the City of San Marcos wastewater system.

Comments/Conditions —

Signature of City or County Health Official: (see attached letter)

Title: —

Date: —

SUBMITTAL REQUIREMENTS:

Applicable Documents and Fees

Name(s) and Address(es) of Property Lien-Holder(s), if any

List of Names and Mailing Addresses of All Owners of Land Within 200 feet of the Subject Property, if this application is for a replat in a subdivision that is in the San Marcos ETJ and which is limited by deed restrictions to single or two-family residential dwellings

I hereby affirm that if I am not the property owner of record, or if the applicant is an organization or business entity, I have been authorized to represent the owner, organization, or business in this application. I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application..

Signature of Applicant: _____

Printed Name: _____

Date: _____

To be completed by Staff:

Submittal Date: 8/10/11 5 Business Days from Submittal: 8/17/11

Completeness Review By: Sonia Nelson Date: 8/10/11

Contact Date for Supplemental Info: _____

Supplemental Info Received (required within 5 days of contact): _____

Application Returned to Applicant: _____

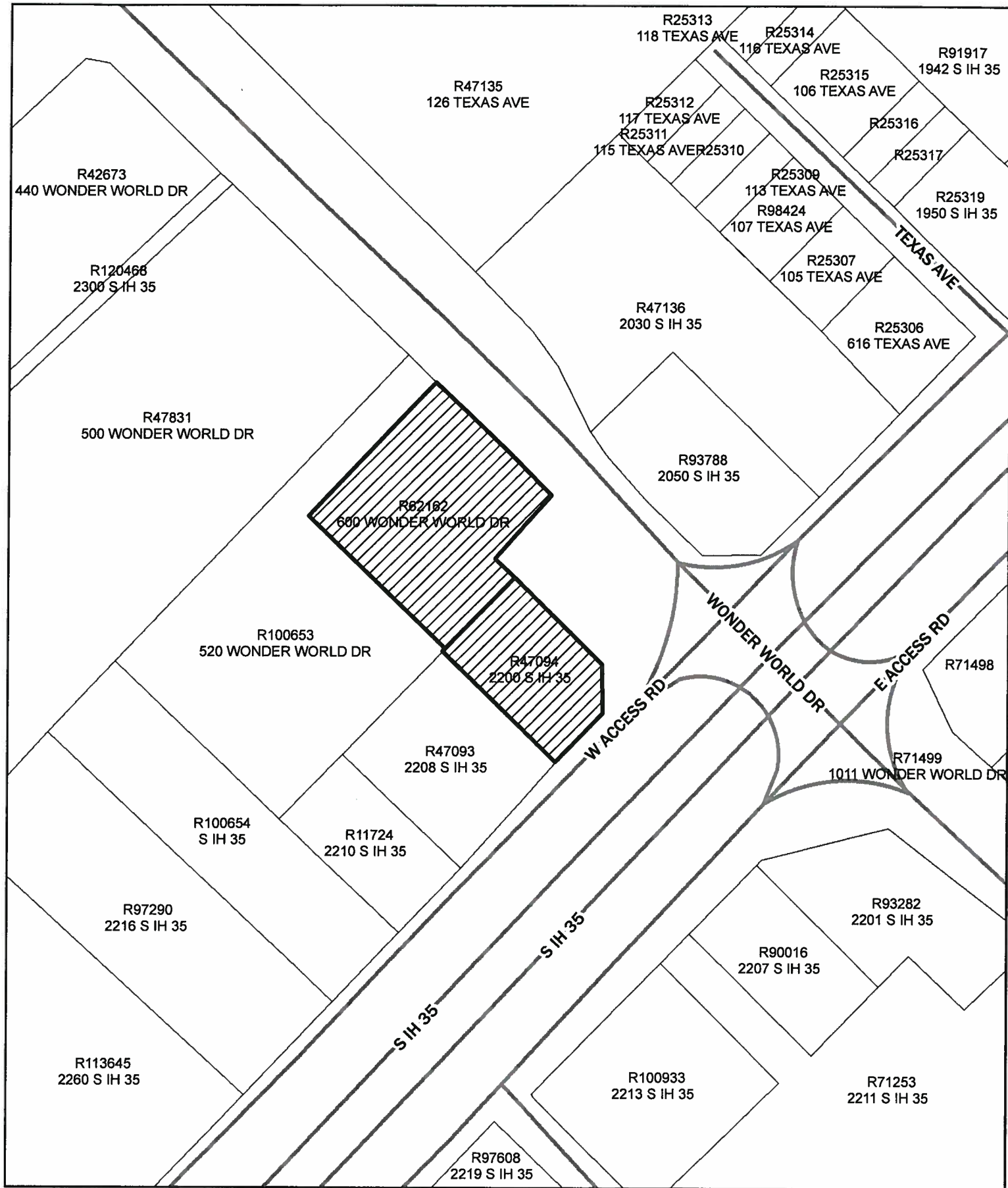
Application Accepted for Review: _____ Fee: \$3250

Required Date for Decision (30 days from acceptance date): 9/9/11

Date of Planning and Zoning Commission Meeting: 8/23/11

All legislative applications complete: ____ Yes ____ No N/A - ETJ

Watershed Protection Plan submitted/approved: ☒ Yes ____ No Substantially approved



PC-11-29(04)
Warren Properties No. 3
Subdivision



Notification Buffer
(200 feet)

Site Location
 Historic District

This map was created by Development Services
 for reference purposes only. No warranty is made
 concerning the map's accuracy or completeness.



0 75 150 300
 Feet

PC-11-29(04) Final Plat Warren Subdivision



Applicant Information:

Agent: HMT Engineering and Surveying
410 N. Seguin Avenue
New Braunfels, Texas

Property Owner: Falcon International Bank
529 McPherson Road
Laredo, Texas 78041

Type & Name of Subdivision: Plat Vacation and Replat

Subject Property:

Summary: The subject property is located on the corner of Wonder World Drive and I-35 and is the former site of the SMCISD bus barn. The applicant is proposing to establish Lot 1 A and Lot 1 B and construct a hotel/motel on Lot 1A.

Traffic / Transportation: The site fronts on IH 35 and Wonder World Drive and sidewalks are required to be constructed at the time of development. A 34' wide access easement has been provided on Lot 1B to allow for access to and from Lot 1A onto IH-35.

Utility Capacity: The City of San Marcos will provide water, wastewater, and electric service to the site.

Zoning: The property has a zoning designation of General Commercial.

Surrounding Zoning and Land use:

	Current Zoning	Existing Land Use
N of Property	n/a	Wonder World Drive
W of Property	HC	Access for storage facility
S of Property	GC/ HC	Vacant and storage facility
E of Property	n/a	IH-35 Feeder Road

Planning Department Analysis:

The purpose of a Final Plat is to assure that the division or development of the land subject to the plat is consistent with all standards of this Land Development Code pertaining to the adequacy of public facilities, that public improvements to serve the subdivision or development have been installed and accepted by the City or that provision for such installation has been made, that all other requirements and conditions have been satisfied or provided for to allow the plat to be recorded, and to assure that the subdivision or development meets all other standards of this Land Development Code to enable initiation of site preparation activities for any lot or tract subject to the plat.

The final plat is proposing the following actions:

- Vacate Lot 2 of the Warren Properties Subdivision
- Vacate Lot 1 of the Warren Properties Subdivision No. 2
- Establish Lot 1A and Lot 1B of the Warren Subdivision No. 3

As a result of the plat vacation and proposed replat the property owner will establish a 1.5 acre lot and a 0.884 acre lot.

Staff has reviewed the request and has made the following findings:

- No public improvements are required for the property
- The Watershed Protection Plan Phase 2 has been approved for the site
- The layout of the subdivision meets all standards for adequacy of public facilities contained in Chapter 7.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

The Commission's Responsibility:

The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Section 1.6.55 of the Land Development Code identifies the following criteria shall be used to determine whether the application for a Final Subdivision Plat or a Final Development Plat shall be approved, approved with conditions or denied:

No Prior Approved Preliminary Subdivision Plat or Preliminary Development Plat:

- a. The Final Subdivision Plat or Final Development Plat conforms to all criteria for approval of a Preliminary Subdivision Plat or Preliminary Development Plat, as applicable;
- b. The construction plans conform to the requirements of Division 6 of this Article 6;

- c. The subdivision improvement agreement and surety for installation of public improvements have been prepared and executed by the property owner in conformity with Division 6 of this Article 6;
- d. The final layout of the subdivision or developments meets all standards for adequacy of public facilities contained in Chapter 7 of this Land Development Code; and
- e. The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Prepared By:

Sofia Nelson	Chief Planner	August 16, 2011
Name	Title	Date

City of San Marcos
SUBDIVISION PLAT APPLICATION

	<u>AGENT/APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	HMT Engineering & Surveying	Falcon International Bank
Mailing Address	410 N Seguin Ave.	5219 McPherson Rd.
	New Braunfels, TX 78130	Laredo, TX 78041
Daytime Phone	830-625-8555	
Email Address	arnoldm@hmtnb.com	

AGENT ACKNOWLEDGEMENT STATEMENT:

I Please see email attached
 I _____ acknowledge that I am the rightful owner of the property proposed for
 subdivision and hereby authorize _____ to serve as my agent to file this
 application and to work with the Responsible Official on my behalf during the subdivision platting
 process.

Signature of Property Owner: _____

Printed Name: _____ Date: _____

Signature of Agent: _____

Arnold Martinez, PE

Printed Name: _____

Date: _____

SUBJECT PROPERTY

Vacate and Replat of Lot 2, Warren Properties Subdivision, and Lot 1, Warren Properties Subdivision No. 2, Est. Lots 1A & 1B Warren Properties Subdivision No. 3

Subdivision Name: _____

Address or General Location: 1560 S IH 35 _____

Proposed Number of Lots: 2 _____ **Acres:** 2.43 _____

Appraisal District Tax ID: ~~R 123416~~, R47094 _____

Located In ☒ City Limits ☐ ETJ (County _____)

☐ S.M. River Corridor ☐ Planned Development District

Proposed Use of Land Commercial _____

TYPE OF APPLICATION

- ☐ Subdivision Concept Plat (required for any division of land where proposed development of the tract is to occur in phases)
- ☐ Preliminary Subdivision Plat (requires approval by Planning & Zoning Commission)
- ☐ Final Subdivision Plat (requires approval by Planning & Zoning Commission)
- ☐ Preliminary Development Plat (requires approval by Planning & Zoning Commission)
- ☐ Final Development Plat (requires approval by Planning & Zoning Commission)
- ☒ Plat Vacation (requires approval by Planning & Zoning Commission)
- ☒ Subdivision Replat (requires approval by Planning & Zoning Commission)
- ☐ Minor Subdivision Plat (administrative approved)
- ☐ Amending Plat (administrative approved)

2011 JUL 26 PM 5 11

SUBDIVISION IMPROVEMENT AGREEMENT

Whenever public improvements to serve the development are deferred until after Final Subdivision Plat or Final Development Plat approval, the property owner shall enter into a subdivision improvement agreement by which the owner covenants to complete all required public improvements no later than two years following the date upon which the Final Subdivision Plat or Final Development Plat is approved.

- ☐ I will complete all required public improvements prior to the Final Subdivision Plat Recordation or Final Development Plat Recordation.
- ☐ I wish to defer installation of public improvements and will provide sufficient security to ensure completion of the required public improvements. The security in lieu of completion construction shall be in accordance with Section 1.6.6.4 of the City of San Marcos Land Development Code.
- ☐ I wish to defer installation of public improvements and will complete a Subdivision Improvement Agreement with the City.

Signature: _____

Printed Name: NA

Date: NA

UTILITY SERVICE ACKNOWLEDGEMENTS:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations.

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- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

2011 JUL 26 PM 5 11

UTILITY SERVICE ACKNOWLEDGEMENTS:

Utility service codes are to be indicated, as applicable in the space provided in each acknowledgment listed below according to the following designations.

- A. Adequate service is currently available to the subject property
- B. Adequate service is not currently available, but arrangements have been made to provide it
- C. Adequate service is not currently available, and arrangements have not been made to provide it
- D. Need easement(s) within subject property

Name of Electric Service Provider San Marcos Electric Utilities

Applicable Utility Service Code(s) "A"

Comments/Conditions V-Phase on South Side of Property + 3 Phase on Back + North Side

Signature of Electric Company Official [Signature]

Title Electric Eng Tech Date 7-27-11

Name of Telephone Service Provider _____

Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Telephone Company Official _____

Title _____ Date _____

Name of Gas Service Provider _____

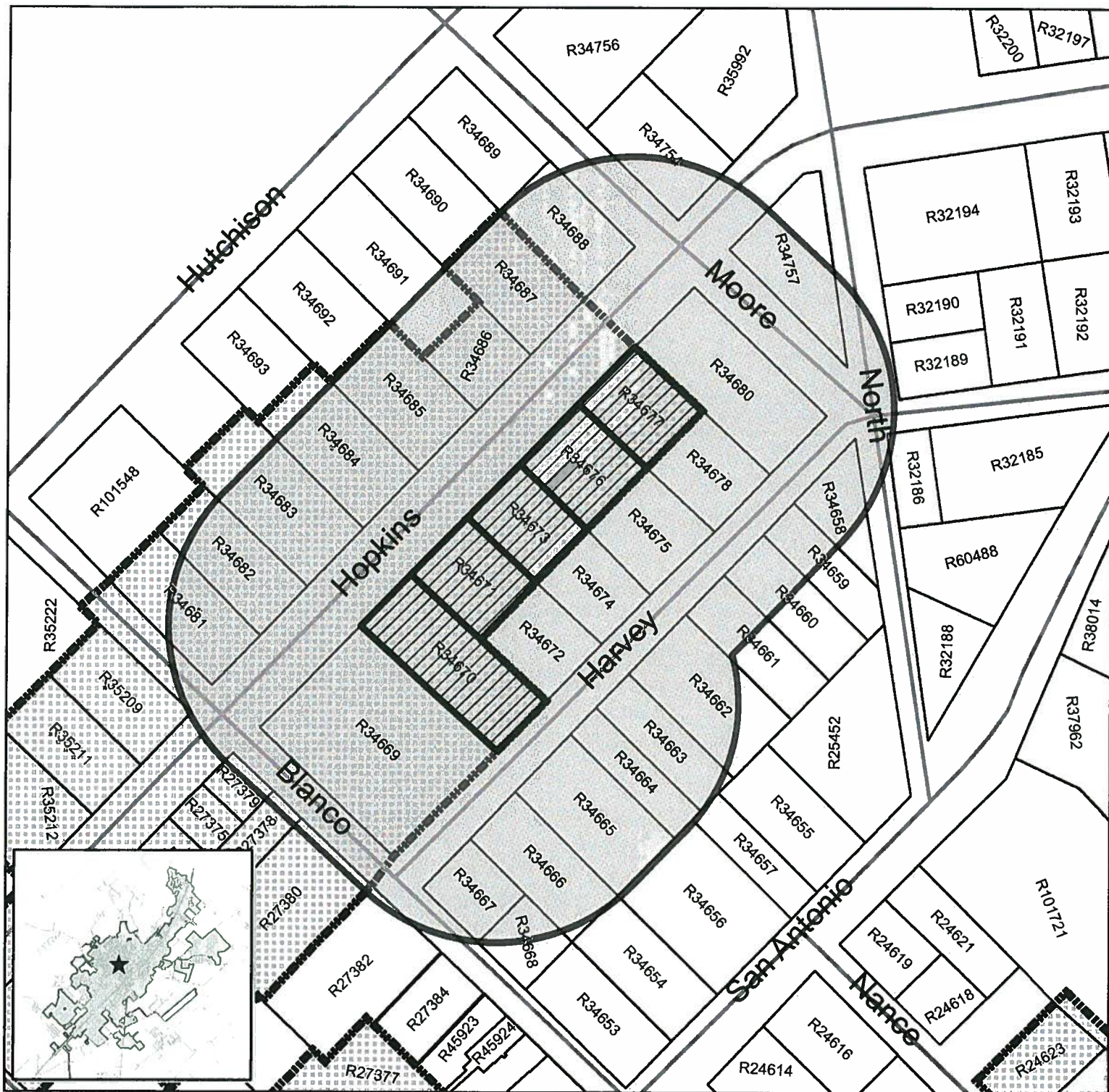
Applicable Utility Service Code(s) _____

Comments/Conditions _____

Signature of Gas Company Official _____

Title _____ Date _____

2011 JUL 26 PM 5 11



LUA-11-17 (All Addresses Listed Below)

ZC-11-23 (511 W. Hopkins)

ZC-11-24 (517 W. Hopkins)

ZC-11-25 (519/525 W. Hopkins)

ZC-11-26 (531 W. Hopkins)




ZC-11-27 (537 W. Hopkins)

Map Date: 08/02/11

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.



0 75 150 300
Feet

-  Notification Buffer (200 feet)
-  Site Location
-  Historic District

LUA-11-17

Land Use Map Amendment

500 Block, West Hopkins Street



Summary:

The applicant is requesting a Land Use Map Amendment from Low Density Residential (LDR) to Mixed Use (MU)

Agent:

GKZ, Inc/Frank Gomillion
516 West Hopkins Street
San Marcos, TX 78666

Owners:

Walter J. Wissel – 511 W. Hopkins
Edward S. Mihalkanin – 517 W. Hopkins
Tim R. Williamson – 519-525 W. Hopkins
Richard Glaubinger – 531 W. Hopkins
Bernice Rainosek – 537 W. Hopkins

Notification:

Personal notice sent and signs posted on Friday, August 12, 2011

Response:

None as of date of report publication.

Subject Property:

Location:

511, 517, 519-525, 531 & 537 West Hopkins Street

Legal Description:

Lots 3-7, Block 2 of the Lindsey & Harvey Subdivision, 1.1 acres total

Sector:

Sector One

Current Zoning:

Single Family (SF-4.5 and SF-6)

Proposed Zoning:

Mixed Use (MU)

Current Future Land Use Map Designation:

Medium Density Residential (MDR)

Proposed Future Land Use Map Designation:

Mixed Use (MU)

Surrounding Area:

	Zoning	Existing Land Use	Future Land Use
N of Property	SF-6/MU	Residential & Offices	Low & Medium Density Residential
S of Property	MF-24/SF-4.5	Multifamily and single-family residential	Low-Density Residential
E of Property	OP/T5/GC	Offices & Commercial	Community Commercial
W of Property	SF-6/MF-24	Multifamily and single-family residential	Low-Density Residential

Case Summary: Proposed Land Use Map Amendment from Low Density Residential to Mixed Use

The subject properties are five platted lots within the Lindsey & Harvey subdivision. The total acreage of the parcels is 1.1 acres, and all lots have frontage on West Hopkins Street. The lots currently are improved with single-family and two-family dwellings. Surrounding uses include single and multifamily residential, offices, and light commercial. To the west, uses are almost entirely residential, while to the east, uses quickly transition to commercial retail and office. The site is within the Hopkins Street Historic District, and as such will require approval from the Historic Preservation Commission for any building or material changes. The site is also one parcel away from the Downtown SmartCode District, specifically the T5 Transect. The proposed Land Use Amendment is for all five lots, which is currently designated Medium Density Residential. This request is proceeding concurrently with a zoning change from Single-Family Residential (SF-4.5 and SF-6) to Mixed Use (MU) for the same parcels.

Planning Department Analysis:

Mixed Uses typically are small-scale, neighborhood-serving uses such as offices, cafes and salons. Additional uses are permitted through the Conditional Use Permit process. They are intended to attract foot traffic as well as vehicular traffic, and tend not to draw people from as wide an area as more intense, larger commercial uses. They also permit single-family and two-family residential, which would allow the current dwellings to remain in use as dwellings under the proposed zoning.

The parcels under consideration are in a transition area between Downtown San Marcos and the residential districts to the south, north, and west. Mixed Use would be an appropriate buffer between these two areas.

Staff has evaluated the request for consistency with the Horizons Master Plan and the Sector 1 Plan.

Consistent	Neutral	Inconsistent	Horizons Master Plan Policy Statement
X			Policy LU-3.25: The City shall protect and encourage the renovation of its historic neighborhoods so that the neighborhoods maintain a distinct and unique identity.
X			Policy LU-4.2: The City shall encourage residential areas, especially higher density uses, have access to shopping, recreation, and work places that are convenient not only for automobile traffic but also for foot and bicycle traffic in order to minimize energy consumption, air pollution, and traffic congestion. <i>Comment: Existing and proposed commercial uses are within walking distance.</i>
X			Policy LU-6.9: The City shall designate sufficient space in residential areas for commercial services that are compatible with, and cater to, the convenience needs of the neighborhood. These neighborhood convenience areas will be encouraged to locate within walking distance of all residences, preferably at the intersection of collectors.

The Sector 1 Plan contains goals such as walkable neighborhoods, interconnected streets, and maintaining historic character while accommodating infill. Mixed Use Districts are compatible with all of these goals, providing for low-density, small-scale retail and office uses and residential within the fabric of the neighborhood.

Staff finds that the request is generally consistent with policies in the Horizons Master Plan and the Sector 1 Plan and recommends approval.

Planning Department Recommendation:	
<input checked="checked" type="checkbox"/>	Approve as submitted
<input type="checkbox"/>	Approve with conditions or revisions as noted
<input type="checkbox"/>	Alternative
<input type="checkbox"/>	Denial

Prepared by:

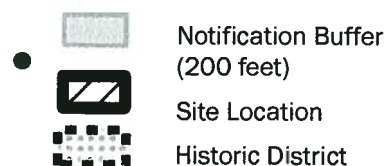
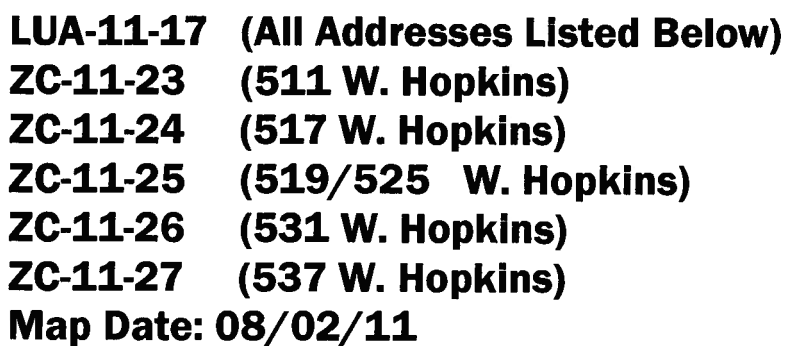
Christine Barton-Holmes, LEED AP	Chief Planner	August 3, 2011
Name	Title	Date

The Commission's Responsibility:

The Code requires the Commission to hold a public hearing and receive public comment regarding the proposed Land Use Map Amendment. The Commission's advisory recommendation to the Council is a discretionary decision. The City Council will ultimately decide whether to approve or deny this request, and will do so through the passage of an ordinance.

After considering the public input, your recommendation should be based on the "fit" of this proposal for a land use amendment with the general character, land use pattern and adopted policy for the area. Section 1.4.1.4 charges the Commission to consider the following criteria for amendments to the Master Plan's Future Land Use Map:

- Whether the amendment is consistent with the policies of the Master Plan that apply to the map being amended;
- The nature of any proposed land use associated with the map amendment; and,
- Whether the amendment promotes the orderly and efficient growth and development of the community and furthers the public health, safety and general welfare of the City.



Zoning Change ZC-11-23 - 11-28 500 Block Hopkins St



Summary: The applicant is requesting a zoning change from Single-Family (SF-4.5 & SF-6) to Mixed Use (MU)

Agent: GKZ, Inc/Frank Gomillion
516 West Hopkins Street
San Marcos, TX 78666

Owners: Walter J. Wissel – 511 W. Hopkins
Edward S. Mihalkanin – 517 W. Hopkins
Tim R. Williamson – 519-525 W. Hopkins
Richard Glaubinger – 531 W. Hopkins
Bernice Rainosek – 537 W. Hopkins

Notification: Personal notifications of the public hearing were mailed on Friday, August 12, 2011 to all property owners within 200 feet of the subject property.

Response: No Comments have been received by staff at this time

Property/Area Profile:

Legal Description: Lots 3-7, Block 2 of the Lindsey & Harvey Subdivision, 1.1 acres total
Location: 511, 517, 519-525, 531 & 537 West Hopkins Street
Existing Use of Property: Single-family residential
Proposed Use of Property: Single-family residential & light commercial
Future Land Use Map: Medium Density Residential
Existing Zoning: Single Family (SF-4.5 & SF-6)
Proposed Zoning: Mixed Use (MU)

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Future Land Use
N of Property	SF-6/MU	Residential & Offices	Low & Medium Density Residential
S of Property	MF-24/SF-4.5	Multifamily and single-family residential	Low-Density Residential
E of Property	OP/T5/GC	Offices & Commercial	Community Commercial
W of Property	SF-6/MF-24	Multifamily and single-family residential	Low-Density Residential

Planning Department Analysis

The subject properties are five platted lots within the Lindsey & Harvey subdivision. The total acreage of the parcels is 1.1 acres, and all lots have frontage on West Hopkins Street. 537 West Hopkins also has frontage on Harvey Street, and gains access to its garage from Harvey. This request is proceeding concurrently with a zoning change from Single-Family Residential (SF-4.5 and SF-6) to Mixed Use (MU) for the same parcels.

The lots currently are improved with single-family and two-family dwellings. Surrounding uses include single and multifamily residential, offices, and light commercial. To the west, uses are almost entirely residential, while to the east, uses quickly transition to commercial retail and office. The site is within the Hopkins Street Historic District, and as such will require approval from the Historic Preservation Commission for any building or material changes. The site is also one parcel away from the Downtown SmartCode District, specifically the T5 Transect.

Mixed Uses typically are small-scale, neighborhood-serving uses such as offices, cafes and salons. Additional uses are permitted through the Conditional Use Permit process. They are intended to attract foot traffic as well as vehicular traffic, and tend not to draw people from as wide an area as more intense, larger commercial uses. They also permit single-family and two-family residential, which would allow the current dwellings to remain in use as dwellings under the proposed zoning. The parcels under consideration are in a transition area between Downtown San Marcos and the residential districts to the south, north, and west. Mixed Use would be an appropriate buffer between these two areas.

Staff has reviewed and analyzed the request and has made the following observations:

- While the requested rezoning is not consistent with the future land use designation currently in place it is consistent with surrounding land uses and the density of the surrounding developments. The proposed mix of uses will also provide an appropriate buffer between the neighborhoods and the downtown area.
- The proposed Mixed Use designation will allow the existing dwellings to be used as residences, as well as providing for neighborhood-scale office and commercial uses.

Evaluation		Criteria (LDC 1.5.1.5)
Consistent	Inconsistent	
X		Change implements the policies of the adopted Master Plan, including the land use classification on the Future Land Use Map and any incorporated sector plan maps

Evaluation		Criteria (LDC 1.5.1.5)
Consistent	Inconsistent	
		<i>The future land use designation of the property is Medium Density Residential. A future land use map amendment to Mixed Use has been submitted concurrently with this request. The request does support both Sector 1 plan goals and Horizon's Master Plan goals of maintaining the historic character of the area while providing for small-scale and infill retail and office uses.</i>
X		Consistency with any development agreement in effect <i>No development agreements are in effect for this property.</i>
X		Whether the uses permitted by the proposed change and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified <i>The proposed changes and applicable standards will be complimentary to adjacent uses. All parcels meet the required minimum lot size for Mixed Use.</i>
X		Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area <i>Infrastructure for residentially-scaled uses is in place.</i>
X		Other factors which substantially affect the public health, safety, morals, or general welfare <i>Staff has not indicated any factors that will substantially affect public health, safety, morals, or general welfare</i>

Planning Department Recommendation:		
<input checked="" type="checkbox"/>		Approve as submitted
<input type="checkbox"/>		Approve with conditions or revisions as noted
<input type="checkbox"/>		Alternative
<input type="checkbox"/>		Denial

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment regarding the proposed zoning. After considering the public input, the Commission is charged with making an advisory recommendation to the City Council regarding the request. The City Council will ultimately decide whether to approve or deny the zoning change request. The Commission's advisory recommendation to the Council is a discretionary decision.

Zoning Change Requests:

- ZC-11-23 – 511 W. Hopkins, 0.18 acre, access on Hopkins
- ZC-11-24 – 517 W. Hopkins, 0.199 acre, access on Hopkins
- ZC-11-25 – 519-525 W. Hopkins, 0.175 acre, access on Hopkins
- ZC-11-26 – 531 W. Hopkins, 0.189 acre, access on Hopkins
- ZC-11-27 – 537 W. Hopkins, 0.33 acre, access on Hopkins & Harvey

Prepared by:

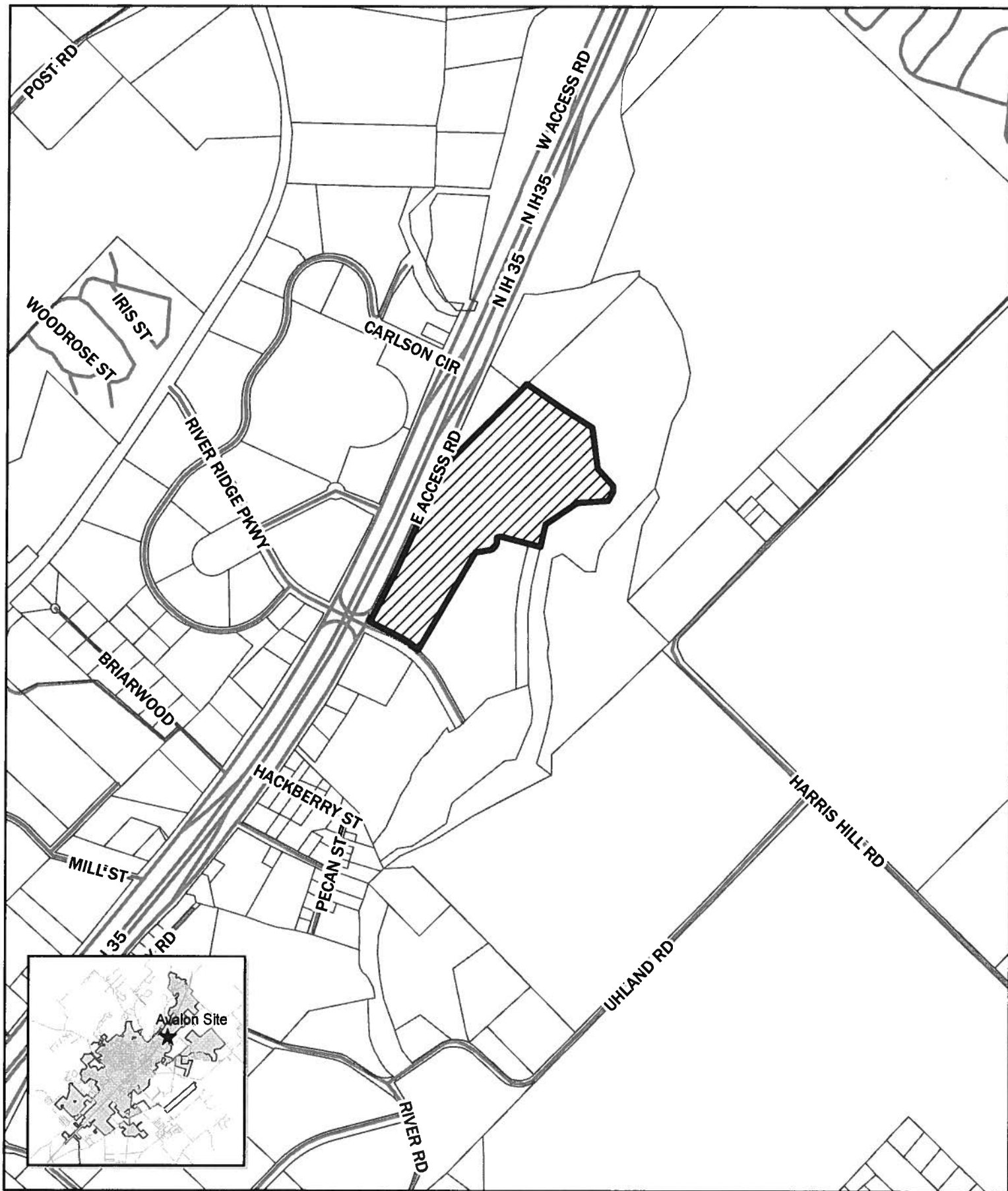
Christine Barton-Holmes, LEED AP Chief Planner

August 18, 2011


Name _____

Title

Date



WPP2-11-10
Avalon Site
Map Date: 8/18/11

•  Site Location •

This map was created by Development Services for reference purposes only. No warranty is made concerning the map's accuracy or completeness.



0 750 1,500 3,000
 Feet

Report for Qualified Watershed Protection Plan Phase 2 WPP2-11-10



Applicant Information:

Engineer: Byrn & Associates, Inc.
Property Owner: Armbruster Holt LTD
Applicant's Request: Reclamation of land within the existing 100-year floodplain
Public Hearing: August 23, 2011

Subject Property:

Location: Northwest Corner of Intersection Of State Highways 21 and 80
Legal Description: 36.14 acres in the J.M. Veramendi Survey No. 2, Abstract No. 17, City of San Marcos, Hays County, Texas
Frontage On: IH-35 and East River Ridge Parkway
Existing Zoning: MF-18 and PDD Overlay
Future Land Use Map: High Density Residential, Commercial, and Open Space
Sector: 6
Existing Use of Property: Undeveloped
Proposed Use of Property: Multifamily Housing

Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	CC	Commercial and Vacant
S of Property	GC, MF-18 and PDD Overlay	Multifamily
E of Property	PDD and FD	Undeveloped Open Space
W of Property	IH-35, GC	IH-35, Vacant Commercial

Engineering Analysis :

The applicant is requesting approval of a Qualified Watershed Protection Plan, Phase 2 (QWPP2) based upon reclamation of land within the FEMA-mapped 100-year floodplain of the Blanco River within the Blanco Shoals Subdivision. The property is currently undeveloped.

The entire site is currently within the FEMA-mapped 100-year floodplain however, based on base flood elevations and on-the-ground topographic survey data, a portion of the site is actually situation above the 100-year floodplain elevation. The easternmost portion of the site is within the floodway of the Blanco River. The floodway will not be disturbed, nor will the established water quality zone which is an area bounded by the floodway and a 100-foot offset from that floodway. A 100-foot wide buffer zone beyond the water quality zone is also established. The City's Land Development Code allows for 30% of the area of a buffer zone to be covered by impervious material. The proposed project includes encroachments into the buffer zone totaling approximately 30% impervious cover. The encroachments are primarily buildings.

The area of the site outside the special protection zones (floodway, water quality, and buffer zones) will be filled, graded and developed as a multifamily development. All construction will be completed in conformance with City standards for construction in a floodplain. After construction, the developer may choose to submit a Letter of Map Revision based on Fill (LOMR-F) to FEMA in order to formally remove all or part of the development from the floodplain.

A stormwater detention waiver has been submitted and approved for this site based on its proximity to the Blanco River and the theory that it is more appropriate to directly release flow from developed areas to the river instead of detaining the flow so that the peak discharge may combine with peaks from runoff generated further upstream in the watershed.

Because of the waiver of the requirement for a detention facility, water quality must be achieved in another manner. The developer proposes the construction of bioswales (labeled low impact development, or LID, swales on the plan) throughout the project in order to provide water quality.

Based upon the engineering review of this Qualified Watershed Protection Plan, Phase 2, it meets the applicable technical requirements of Chapter 5 of the Land Development Code.

Development Services Engineering Recommendation	
X	Approve as submitted
	Approve with conditions as noted
	Alternative
	Denial

The Commission's Responsibility:

The Commission is required by law to hold a public hearing and receive public comment regarding the proposed Qualified Watershed Protection Plan, Phase 2. After considering the public input, the Commission, following the recommendation of the City Engineer, is charged with approving, conditionally approving, or denying the request.

The criteria for evaluating a request for a Qualified Watershed Protection Plan 2 is:

- (1) Reclaimed land - factors. For developments where reclamation of land within the 100-year floodplain is proposed:
 - a. Whether the Reclamation Concept Plan (which is an element of both phases of the Watershed Protection Plan when reclamation is proposed) is consistent with approved legislative applications for the land subject to the

plan, including expressly any master drainage plan elements applicable to the land;

- b. Whether the Reclamation Concept Plan (which is an element of both phases of the Watershed Protection Plan when reclamation is proposed) meets the general standards in Chapter 5, Article 1, and the specific criteria in Chapter 5, Article 4, Division 2; and
- c. Whether any adverse impacts have been appropriately mitigated.

The Commission's action on the Qualified Watershed Protection Plan, Phase 2 may be appealed to the City Council.

List of Attachments:

- Avalon Properties Watershed Protection Plan Phase 2

Prepared by:

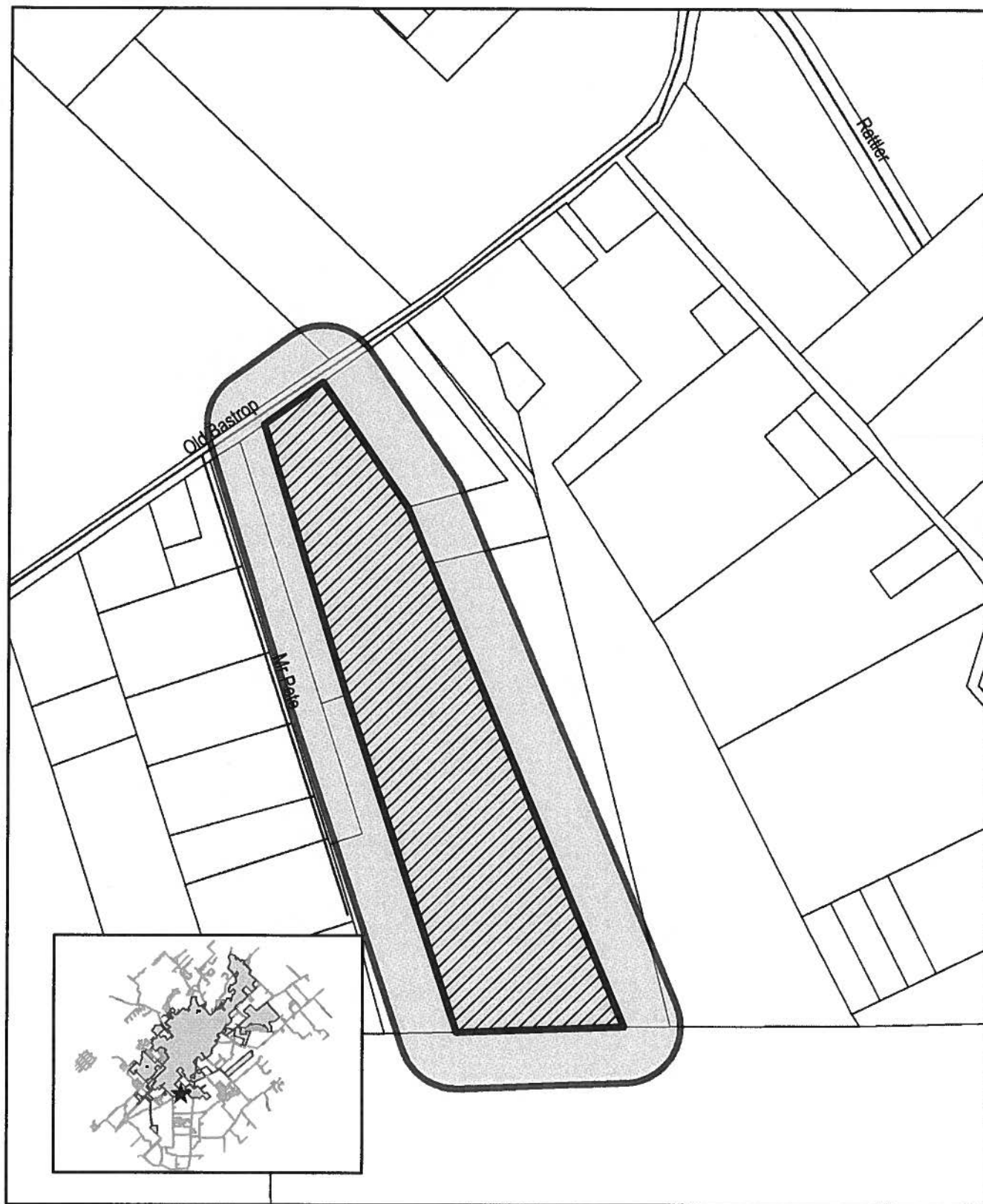
Kathryn Woodlee

Kathryn Woodlee, PE, CFM

Name

Development Engineer

Title



PVC-11-03
San Marcos
Community Church
Map Date: June 28, 2011

Legend

-  Site Location
-  200 Feet

0 125 250 500 750 1,000 Feet

This map was produced solely for geographic reference by the City of San Marcos- Planning and Development Services department. No warranty is made concerning the map's accuracy or completeness.



**PVC-11-03
San Marcos Community Church-
Old Bastrop Road.
San Marcos ETJ**



Applicant Information:

Applicant: San Marcos Community Church
PO Box 854
San Marcos, TX 78666

Property Owner: Texas Conference Association of 7th Day Adventist

Applicant's Request: The applicant is requesting a variance from Section 6.7.2.1 (J) of the Land Development Code, which requires that lot depth shall not exceed the three times the lot width for lots platted after March 10, 1975.

Subject Property:

Location: Old Bastrop Road (approximately .396 miles south of McCarty Lane and approximately .753 miles north of Centerpoint)

Legal Description: Abs 46 TR Rebecca Brown Survey 22.99 acres

Existing Zoning: None (outside City limits)

Land Use Map: Low Density Residential

**Existing
Use of Property:** undeveloped

**Proposed
Use of Property:** Church site

Planning Department Summary:

The subject property is a 22.96 acre parcel of land located approximately ½ a mile south of the San Marcos High School. It is located in area that over the last several years has seen an increase in both residential development and an investment by both the City and the County in infrastructure development. The applicant is proposing to plat the subject property with the intention of developing the lot into a future site for a church and other church related uses. Because the applicant would like to plat the property for the intention of developing the lot into something other

than one single-family residence the property must meet the lot depth to width ratio requirements, which requires that lot depth shall not exceed the three times the lot width for lots platted after March 10, 1975. The proposed lot would have an average lot width of 400 feet in width by an average length of 2387.285 feet, leaving the lot with a proposed lot depth ratio of over five times the width of the property.

A minimum lot width to depth ratio prevents the creation of long and narrow lots, as well as the crowding of buildings along access roads while leaving the land behind the buildings vacant and unserviceable. Additionally, the purpose of subdivision regulations are to:

- Promote the development and the utilization of land in a manner that assures an attractive and high quality community environment.
- Assist orderly, efficient and coordinated development within the City's limits and its extraterritorial jurisdiction.
- Assure connectivity both within the City limits and its extraterritorial jurisdiction through block length requirements.
- Integrate the development of various tracts of land into the existing community, and coordinate the future development of adjoining tracts.
- Protect the character and the social and economic stability of all parts of the community, and encourage the orderly and beneficial development of all parts of the community.
- Protect and conserve the value of land throughout the community and the value of buildings and improvements upon the land, and minimize conflicts among the uses of land and buildings.
- Prevent pollution of the air, streams, bodies of water, and aquifers; assure the adequacy of drainage facilities; safeguard both surface and groundwater supplies, as well as natural resources and endangered or threatened plant and animal life; and encourage the wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability and beauty of the community and the value of the land.

In deciding the variance petition, the decision-maker shall apply the following criteria:

1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Land Development Code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;
2. The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land;
3. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
4. Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;
5. Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property;
6. Granting the variance petition is consistent with any special criteria applicable to varying particular standards, as set forth in Chapters 4 through 7 of this Land Development Code;
7. The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner;
8. The request for a variance is not based exclusively on the petitioner's desire for increased financial gain from the property, or to reduce an existing financial hardship; and
9. The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this section.

Staff has reviewed the request against the above criteria and has made the following findings:

- While there does not appear to be any special circumstances or conditions arising from the physical surroundings, shape, topography or other features affecting the subject property the strict interpretation of the Code would limit the development of this property to single-family residential unless the property was combined with another property.
- The request for a variance does not appear to be based exclusively on the petitioner's desire for increased financial gain from the property, or to reduce an existing financial hardship
- As indicated above this property is approximately ½ a mile south of the San Marcos High School and is located in an area identified in the Horizon's Master Plan as the city's preferred growth area. There has been a tremendous investment in infrastructure within this sector of the city in order to promote orderly development. The granting of this variance without reservation of ROW for additional north/south connectivity could hinder the ability to provide additional connectivity and provide for growth that is in keeping with the goals and policy statements of the Horizon's Master Plan. Staff has determined that if the applicant is willing to dedicate ROW in a manner that is consistent with the block length requirements of the Land Development Code (this may require up to two dedications of approximately 65 feet in width) that the granting the variance petition will preserve the intent of the Land Development Code in not creating excessively long lots and maintain the orderly use and development of the surrounding properties.

Staff is recommending **approval** of this request with the following **conditions**:

- Dedication of up to two segments of right-of-way up to 65 feet in width at the time of platting in order to provide additional connectivity to the surrounding properties,

Planning Department Recommendation	
	Approve as submitted
X	Approve with conditions or revisions as noted
	Alternative
	Denial

The Commission's Responsibility:

The Commission is charged with making the final decision regarding this variance request. The city charter delegates all platting variances to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve or deny this variance request.

Attachments

Location Map
Application
Survey of property

Prepared by:

Sofia Nelson

Name

Chief Planner

Title

August 17, 2011

Date

PVC- 11-03

City of San Marcos
SUBDIVISION VARIANCE APPLICATION

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>
Name	San Marcos Community Church	Texas Conf.Assoc.of 7 th Day Adventists
Mailing Address	PO Box 854	PO Box 800
	San Marcos Tx 78667	Alvarado Tx 76009 – 0800
Daytime Phone	(512) 805-8290	(800) 847-2792
Email Address	john@sanmarcoscommunitychurch.org	mdoucumes@txsda.org

PROPERTY DESCRIPTION:

Street: Old Bastrop Highway

Address No: TBD future 911 addressing

Legal Description (if platted): not platted – Abs 46 TR Rebecca Brown Survey 22.99 Acres

Tax ID: R12975

Acres: 22.99

Zoning Classification: None - unrestricted

Located In ☐ Floodway
 ☐ S.M. River Corridor

☐ Edwards Aquifer Recharge Zone
☐ Historic District

Note: If the variance is to waive, in its entirety, either a required Subdivision Master Plan or a required plat, a metes and bounds legal description or survey drawing indication the outer boundary of the subject property must be attached.

2011 JUN 14 PM 4 20

REQUESTED SUBDIVISION VARIANCE:

Variance to Chapter 6.7.2.1 (j) of the Land Development Code which requires...

Lot depth shall not exceed three times the lot width for lots platted after March 10, 1975

Description of Proposed Variance from the Requirements of the Land Development Code:

To allow development of the property for use other than 1 single family residence.

SUBMITTAL REQUIREMENTS:

\$150 Application Fee, payable to the City of San Marcos

Answer the questions on the following pages, as evidence that this request complies with the conditions required for approval of a variance (extra pages and supplemental illustrations or photographs may be used if needed or desired).

I certify the preceding information is complete and accurate, and it is understood that I or another representative should be present at all meetings concerning this application.

☒ I am the property owner of record, or

☐ I have attached authorization to represent the owner, organization, or business in this application.

Signature:

Mike Doucours

Date:

6-13-11

Printed Name:

Mike Doucours

TO BE COMPLETED BY STAFF:

Submittal Date: 6/14/ 5 Business Days from Submittal: 6/21

Completeness Review By: John F Date: 6/14

Contact Date for Supplemental Info: _____

Supplemental Info Received (required within 5 days of contact): _____

Application Returned to Applicant: _____

Application Accepted for Review: _____ Fee: _____

The following information is provided by the applicant and may or may not be consistent with the Development Services-Planning information contained in the staff report for this request.

1. What special circumstances or conditions affect the subject property such that strict application of the provisions of the Land Development Code would create an unnecessary hardship or inequity upon the applicant or would deprive the applicant of the reasonable and beneficial use of the property?

The property is being purchased in its present shape, and it is both limited by and is not conducive to further change in shape. As a result, it is currently limited for only for 1 single family residence or agricultural use.

2. Do the circumstances or conditions causing the hardship similarly affect all or most of the properties in the vicinity of the subject property?

Yes & No. Some of the surrounding properties are of similar shape and are being used as agricultural land or single family residences. Other properties in the area have already been subdivided into smaller tracts that were subdivided to accommodate single family residences. Also, there are some larger tracts of land, in the area, that remain as raw land for possible, future, development consideration.

3. What substantial property right would not be preserved or enjoyed if the provisions of the Land Development Code were literally enforced?

The ability for this property's use would be limited to 1 single family residence or to the current open land /agricultural state that exists now.

4. What effect, if any, would the variance have on the rights of owners or occupants of surrounding property, or on the public health, safety, or general welfare?

We see no adverse effects of the granted variance to surrounding property owners or on the public health, safety or general welfare.

5. What effect, if any, would the variance have on the orderly subdivision of other land in the area in accordance with the provisions of the Land Development Code?

None that we can see. The shape of this land and the shape of the adjacent properties are not conducive to future subdividing.

6. Is the hardship or inequity suffered by the applicant caused wholly or in substantial part by the property owner or applicant?

No. The code simply limits the use of the property based on the length and width stipulations of Chapter 6.7.2.1 (j)

7. To what extent is the request for a variance based upon a desire of the owner, occupant, or applicant for increased financial gain from the property, or to reduce an existing financial hardship?

The request is not based on any future financial gain.

8. Is the degree of variance requested the minimum amount necessary to meet the needs of the applicant or property owner?

Yes. Both parties simply desire the ability to build something other than 1 single family residence on this property.

Subdivision Variance Criteria

In deciding the variance petition, the decision-maker shall apply the following criteria:

- (1) There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land subject to the variance petition, such that the strict application of the provisions of this Land Development Code to the development application would create an unnecessary hardship or inequity upon or for the petitioner, as distinguished from a mere inconvenience, in developing the land or deprive the petitioner of the reasonable and beneficial use of the land;

The subject property is a 23 acre tract created by a legal division of land occurring in 2001. At the time of this division, the subdivision regulations of the City of San Marcos and Hays County provided for an exemption allowing for a division of this type to occur without the filing of a subdivision plat or development plat. Thus, in 2001, this parcel was legally established and eligible to receive any and all permits necessary for the construction of the applicant's desired use.

An unnecessary hardship or inequity will occur upon or for the current land owner and the petitioner because they will be prevented from receiving approval of a development plat and other subsequent development applications due to the effects of a regulation that was adopted approximately 3 years after the parcel was legally created. The strict adherence to the LDC in this circumstance will deprive the petitioner of the reasonable and beneficial use of the land.

- (2) The circumstances causing the hardship do not similarly affect all or most properties in the vicinity of the petitioner's land;

The circumstances causing this hardship are unique to this property and do not affect all or most of the properties in the vicinity of the petitioner's land. There are many existing properties in the area that well exceed the 3 to 1 ratio. However, the majority of the properties are being utilized for single-family or agricultural use. The City of San Marcos development plat requirement and the urbanized 3 to 1 length to width ratio lot standard do not apply to these tracts.

This request is also unique because City staff has stated that the planned use of the property for a church is not being considered. However, the church use is very much central to staff's position on the variance. The LDC clearly establishes that a development plat is not required for single family construction and related development activities. Staff has made a determination that a proposed use of the property as a place of religious worship requires the submittal of a development plat and is not a development activity related to single family use.

The LDC also permits the construction of a place of religious worship in all six single-family residential zoning districts. Clearly the LDC contemplates the use of a property as a single family residential dwelling or a place of religious worship as compatible uses within the City limits. Therefore, these uses should be deemed compatible within the ETJ similarly to a property located within the City limits.

- (3) The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner;

Without this variance, the petitioner cannot have a development plat approved and cannot subsequently file applications for a Watershed Protection and Site Preparation permit. It should be considered a strong and substantial property right for the petitioner and the owner to expect that when investment backed decisions are made to legally establish a permissible and buildable parcel that it will remain as such.

- (4) Granting the variance petition will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;

Granting this variance petition will allow the applicant to properly submit a development plat and all subsequent development applications to the City of San Marcos for review. The City will have an opportunity obtain the dedication of necessary right-of-way or easements and to review the request for compliance with the Comprehensive Plan. The City's opportunity and obligation to protect the public health, safety and welfare will be exercised through the processing of the development plat and subsequent development applications.

- (5) Granting the variance petition will not have the effect of preventing the orderly use and enjoyment of other land within the area in accordance with the provisions of this Code, or adversely affect the rights of owners or residents of surrounding property;

Granting this variance petition will allow the applicant to properly submit a development plat and all subsequent development applications to the City of San Marcos for review. The length to width configuration of the property is consistent with numerous other existing properties in the vicinity and the proposed use of the tract is already established by the LDC and federal law to be a use that is appropriate and compatible with single family areas.

- (6) Granting the variance petition is consistent with any special criteria applicable to varying particular standards, as set forth in Chapters 4 through 7 of this Land Development Code;

We are aware of no special criteria in Chapters 4 through 7 of the LDC related to the granting of this variance.

- (7) The hardship or inequity suffered by petitioner is not caused wholly or in substantial part by the petitioner;

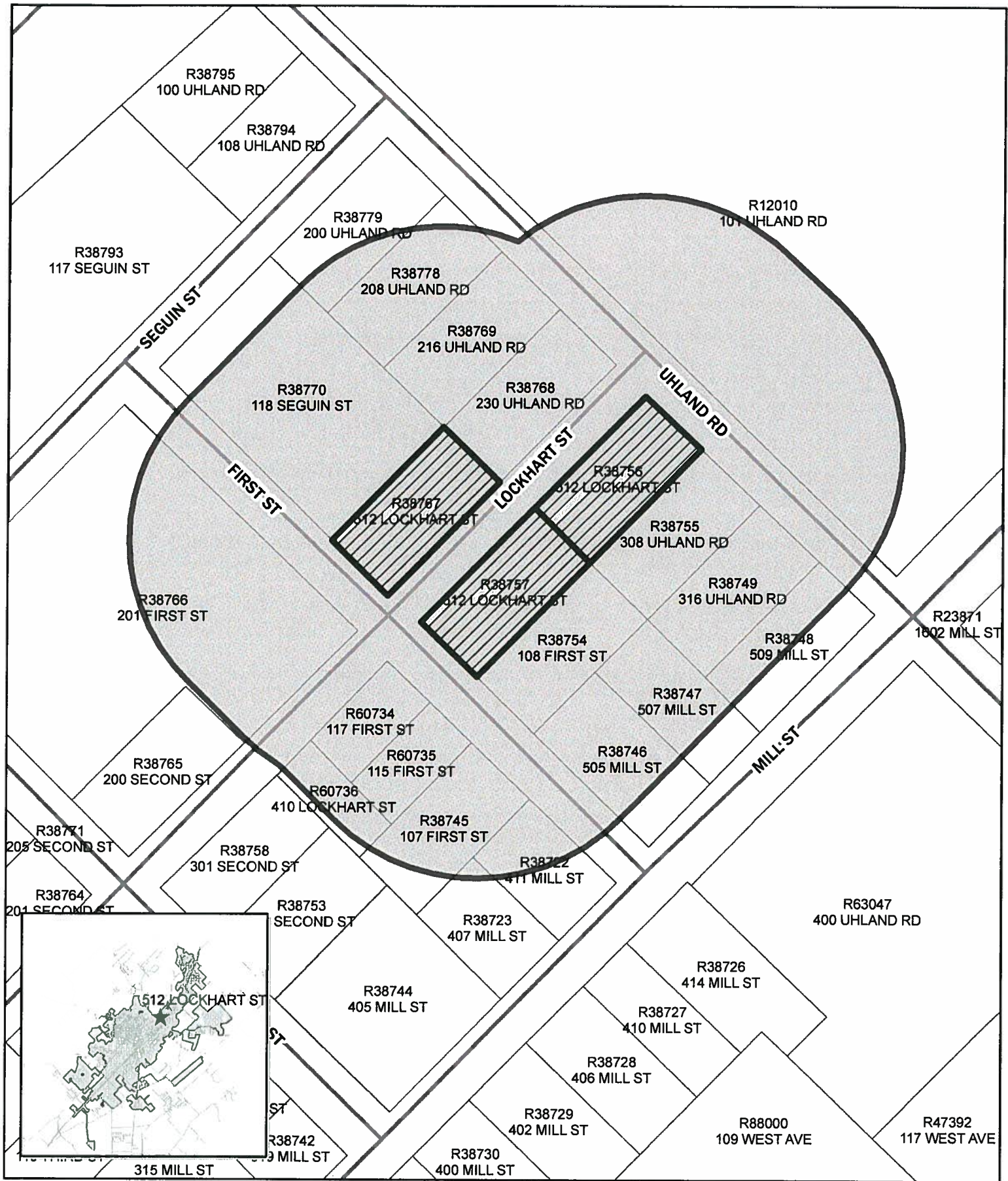
The hardship and inequity being suffered by the petitioner is not being caused by the petitioner. The property owner established a legal parcel in 2001 on which the currently proposed use was permissible. The hardship and inequity is being imposed due to a City of San Marcos regulation that occurred three years after the legal subdivision of the property rendering the parcel unusable to the petitioner for the intended use.

- (8) The request for a variance is not based exclusively on the petitioner's desire for increased financial gain from the property, or to reduce an existing financial hardship; and

This request is not based on the petitioner's desire for increased financial gain or to reduce and existing financial hardship. The petitioner is proposing to construct a place of religious worship on the site and would like to submit all applicable development applications to the City for that use.

- (9) The degree of variance requested is the minimum amount necessary to meet the needs of petitioner and to satisfy the standards in this Section.

The requested variance to the 3 to 1 maximum length to width ratio is the minimum variance necessary to allow the petitioner to proceed with the submittal of development applications to the City of San Marcos.



PDD-11-06

512 Lockhart Street

Map Date: 7/25/11



Notification Buffer
(200 feet)



Site Location



Historic District

This map was created by Development Services
for reference purposes only. No warranty is made
concerning the map's accuracy or completeness.



0 50 100 200
Feet

PDD-11-06/ ZC-11-07

Lockhart Street



Summary:

Property Owner: Craig Coffee
102 Canyon Circle West
Austin, Texas 78746

Agent: Ramsey Engineering LLC
3206 Yellowpine Terrace
Austin, Texas 78757

Subject Property:

Legal Description: Lots 38, 39, and 50, AM Ramsay Subdivision
Location: 512 Lockhart Street
Existing Use of Property: 5 Duplexes
Existing Zoning: Duplex Restricted
Proposed Use of Property: 12 townhouses
Proposed Zoning: PDD overlay with a Townhouse base zoning
Sector: 7
Frontage On: The project fronts on Uhland Road, Lockhart Street, and First Street
Utilities: City of San Marcos
Area Zoning and Land Use Pattern:

	Current Zoning	Existing Land Use
N of Property	Duplex Restricted and General Commercial	Single family house and Old Mill development
S of Property	MF-24 and SF-6	Multi-family development and single family house
E of Property	Duplex Restricted	Multi-family development and single family house
W of Property	MF-24	Multi-family development

Project overview

The subject property is located on Lockhart Street and is bounded by First Street and Uhland Road. The property is bisected by Lockhart Street with two of the three lots located on the east side of Lockhart Street and one lot located west of Lockhart Street. The property owner is seeking to demolish the existing duplex structures and redevelop the property to construct 12 townhomes. Currently the property has a future land use designation of Medium Density Residential and a zoning designation of Duplex Restricted. The owner is proposing to replat the property into 14 lots (with two of the proposed lots used to accommodate off-street parking). Below is a breakdown of the PDD Request.

Density

The applicant is seeking a density of 12 units per acre in order to develop 12 townhomes with 4 bedrooms in each townhome.

Site Improvements

The PDD is proposing to construct a townhouse development that brings the buildings closer to the street edge and provides for parking to the rear and side of the buildings. In order to accommodate for the parking in the rear of the development the applicant is requesting a front yard setback of 6' rather than the 20' setback required by the code. Additionally, the applicant is seeking the following variances through the PDD:

- Lot Size- 1850 square feet (required per TH zoning - 2500 square feet)
- Side Yard Setback for corner lots- 10 feet (required per TH zoning- 12 feet)
- Impervious Cover – 88 % (maximum allowed by TH zoning- 70%) ** While this is an increase in impervious cover the use of Low Impact Development practices, with a removal efficiency of 85% total suspended solids, will help mitigate the additional impervious cover.
- Street trees will be provided at an average rate of one-tree for every 30 feet of street frontage, clustering shall be permitted as long as the number of total trees are not reduced. (the LDC requires one-tree every 50 feet of street frontage) ** This is an area where the applicant is exceeding the code.

Environmental and Water Quality

On-site stormwater detention measures to control stormwater runoff and to mitigate for the increase in impervious cover will be provided. Additionally, low impact development (LID) methods for water quality will be incorporated into the site design and construction. LID methods will be implemented which may include bio-retention swales, grassy lined swales, rain gardens and rainwater harvesting.

Parking

While the Land Development Code requires 2 off-street parking spaces per unit due to the multi-family nature of the development the applicant is seeking to provide the following in order to meet the needs of the proposed development:

- 46 off-street parking spaces
- Stripe 8 on-street parking spaces
- On-site bicycle spaces at a ratio of two spaces per townhouse unit

Parks and Open Space

The applicant has identified approximately 4% of the total site to be used as open space. The open space has been designed to include water-quality features, bike parking and benches. Additionally, the applicant is requesting to provide a fee-in-lieu of dedication to meet the parkland dedication requirements of the Land Development Code.

Architectural Requirements and Sustainable Building Elements

The applicant has proposed that the following architectural and sustainable building elements be required of the project:

- Four-sided design
- 20% glazing at the street level
- A high-albedo roof or white membrane/ light-colored finish is required to help with energy efficiency within the home.
- While the applicant has not confirmed that the project will be submitted for LEED certification the applicant has provided a checklist identifying which LEED certification requirements the project will meet.

Planning Department Analysis- UPDATE:

As indicated above the subject property is currently zoned Duplex Restricted and has a future land use designation of Medium Density Residential. As is evident in both the zoning and future land use maps for the area and on-site development patterns, the subject property has a variety of residential uses and a commercial use within close proximity. The subject property functions as a transition area between the low density residential to the south and the commercial to the north, and as a transition between the multi-family to the west and the single family to the south and east of the site.

Transition properties are often some of the most difficult sites to plan for. However due to the incompatibility of the uses on either side of them they are some of the most important sites in a community to review for best planning practices.

Concerns received from neighborhood

At your last meeting you received comments from residents and property owners within the area both in support and in opposition to the request. The concerns expressed included the following:

- The density of the project. Many of the speakers in opposition to the request felt that 4 bedrooms per unit were too many and requested that the number of bedrooms per unit be reduced.
- Additional traffic may be generated as a result of the development.
- Parking. The applicant is providing for 46 off-street parking spaces and is proposing to utilize on-street parking to accommodate for the deficit in parking (the development is short 4 spaces in order to meet the 1 parking space per bedroom + 5% for visitor parking). Additionally the applicant is providing for bike parking and is within walking distance of the TxState Tram.
- Compatibility of the proposed building. While many of the residents felt the proposed structure was "attractive" there were concerns regarding the compatibility of a two story building on this site.

Since the last Planning and Zoning Commission meeting a small neighborhood meeting was held with Mr. Ramsay, the property owner's agent, to discuss the above concerns. As a result of the meeting the applicant is proposing the following amendments to the PDD:

1. Currently, in Section VII Development Standards, A. Occupancy Restriction, the Standards state: "With this PDD, the development is not subject to the occupancy restriction for TH: Townhouse Residential District shown in Section 4.3.4.5 of the LDC." The following two (2) additional restrictions are also being proposed:

- "Townhouse units will not be rented or leased by the bedroom.
- Occupancy is further restricted as follows: For single (unmarried) persons or students, a maximum of one (1) person per bedroom is allowed. For married couples without children, a maximum average of one (1) person per bedroom is allowed. For one family with children per townhouse allowed, the number of persons per bedroom is not restricted."

2. So as not to encourage on-street parallel parking on Lockhart Street, the applicant is proposing to delete the proposed on-street parallel parking currently shown on the Concept Plan. Off-street (on-site) parking is to be provided for up to 46 spaces. Parking provided is at the ratio of 0.96 spaces per bedroom. This proposal accounts for the acknowledgement that not all tenants in a particular townhouse will have a vehicle or need an on-site parking space.

3. In order to improve traffic flow the applicant is proposing to reverse the on-site traffic flow to enter from Lockhart Street and exit to Uhland Road or First Street.

Staff has reviewed the concerns of the neighborhood and has reviewed the PDD submittal against the Criteria for Approval identified in Section 1.5.3.5 of the Land Development Code and is recommending conditional approval of the request for the following reasons:

- The development of townhomes is consistent with the future land use designation of medium density residential and the sector plan goals of creating context sensitive streets, traffic calming, and enhanced visual character of buildings through a variety of design requirements.
- The proposed development offers the opportunity for infill development and use of existing infrastructure.
- The site has been designed to provide for a context-sensitive street that gives equal value to the vehicular movement and community aesthetics, pedestrian and cyclist safety.
- Because the property serves as a transitional area for the single family residences to the south and the commercial to the north and the multi-family to the west and the single-family to the east the PDD zoning overlay is an appropriate zoning mechanism for this site.
- While the proposed PDD is asking for variances to a number of development standards the development as a whole results in a superior development than what is currently developed and what could be achieved through the conventional zoning classification.
- As indicated above the applicant is proposing to mitigate traffic in and out of the site by reversing the onsite traffic to enter from Lockhart Street and exit to Uhland or First Street. While there will be an increase in traffic as a result of the redevelopment of the site the site has direct access to Uhland Street which will help alleviate the traffic felt within the interior neighborhood streets.

Conditions of approval:

- "Townhouse units will not be rented or leased by the bedroom.
- Occupancy is further restricted as follows: For single (unmarried) persons or students, a maximum of one (1) person per bedroom is allowed. For married couples without children, a maximum average of one (1) person per bedroom is allowed. For one family with children per townhouse allowed, the number of persons per bedroom is not restricted."
- The on-site traffic flow to enter from Lockhart Street and exit to Uhland Road or First Street.

Planning Department Recommendation	
<input type="checkbox"/>	Approve as submitted
<input checked="" type="checkbox"/>	Approve with conditions or revisions as noted
<input type="checkbox"/>	Public Hearing only
<input type="checkbox"/>	Denial

Prepared by:

Sofia Nelson

Chief Planner

August 17, 2011

Name

Title

Date

PC-11-29(04) Final Plat Warren Subdivision



Applicant Information:

Agent: HMT Engineering and Surveying
410 N. Seguin Avenue
New Braunfels, Texas

Property Owner: Falcon International Bank
529 McPherson Road
Laredo, Texas 78041

Type & Name of Subdivision: Plat Vacation and Replat

Subject Property: **Summary:**

The subject property is located on the corner of Wonder World Drive and I-35 and is the former site of the SMCISD bus barn. The applicant is proposing to establish Lot 1 A and Lot 1 B and construct a hotel/motel on Lot 1A.

Traffic / Transportation: The site fronts on IH 35 and Wonder World Drive and sidewalks are required to be constructed at the time of development. A 34' wide access easement has been provided on Lot 1B to allow for access to and from Lot 1A onto IH-35.

Utility Capacity: The City of San Marcos will provide water, wastewater, and electric service to the site.

Zoning: The property has a zoning designation of General Commercial.

Surrounding Zoning and Land use:

	Current Zoning	Existing Land Use
N of Property	n/a	Wonder World Drive
W of Property	HC	Access for storage facility
S of Property	GC/ HC	Vacant and storage facility
E of Property	n/a	IH-35 Feeder Road

Planning Department Analysis:

The purpose of a Final Plat is to assure that the division or development of the land subject to the plat is consistent with all standards of this Land Development Code pertaining to the adequacy of public facilities, that public improvements to serve the subdivision or development have been installed and accepted by the City or that provision for such installation has been made, that all other requirements and conditions have been satisfied or provided for to allow the plat to be recorded, and to assure that the subdivision or development meets all other standards of this Land Development Code to enable initiation of site preparation activities for any lot or tract subject to the plat.

The final plat is proposing the following actions:

- Vacate Lot 2 of the Warren Properties Subdivision
- Vacate Lot 1 of the Warren Properties Subdivision No. 2
- Establish Lot 1A and Lot 1B of the Warren Subdivision No. 3

As a result of the plat vacation and proposed replat the property owner will establish a 1.5 acre lot and a 0.884 acre lot.

Staff has reviewed the request and has made the following findings:

- No public improvements are required for the property
- The Watershed Protection Plan Phase 2 has been approved for the site
- The layout of the subdivision meets all standards for adequacy of public facilities contained in Chapter 7.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions or revisions as noted
	Alternative
	Denial

The Commission's Responsibility:

The City Charter delegates all subdivision platting authority to the Planning and Zoning Commission. The Commission's decision on platting matters is final and may not be appealed to the City Council. Your options are to approve, disapprove, or to statutorily deny (an action that keeps the applicant "in process") the plat.

Section 1.6.55 of the Land Development Code identifies the following criteria shall be used to determine whether the application for a Final Subdivision Plat or a Final Development Plat shall be approved, approved with conditions or denied:

No Prior Approved Preliminary Subdivision Plat or Preliminary Development Plat:

- a. The Final Subdivision Plat or Final Development Plat conforms to all criteria for approval of a Preliminary Subdivision Plat or Preliminary Development Plat, as applicable;
- b. The construction plans conform to the requirements of Division 6 of this Article 6;

- c. The subdivision improvement agreement and surety for installation of public improvements have been prepared and executed by the property owner in conformity with Division 6 of this Article 6;
- d. The final layout of the subdivision or developments meets all standards for adequacy of public facilities contained in Chapter 7 of this Land Development Code; and
- e. The plat meets any county standards to be applied under an interlocal agreement between the City and a county under Tex. Loc. Gov't Code ch. 242, where the proposed development is located in whole or in part in the extraterritorial jurisdiction of the City and in the county.

Prepared By:

Sofia Nelson

Chief Planner

August 16, 2011

Name

Title

Date

City of San Marcos

PLANNED DEVELOPMENT DISTRICT

ZONING / LAND USE PLAN / WRITTEN DEVELOPMENT STANDARDS

	<u>APPLICANT</u>	<u>PROPERTY OWNER</u>	<u>CONSULTANT</u>
Name:	Ramsey Engineering, LLC	Craig A. Coffee	Same As Applicant
Mailing Address:	3206 Yellowpine Terrace Austin, Texas 78757	102 Canyon Creek ^{Circle} West Austin, Texas 78746	
Telephone No.:	512-650-6800	512-327-3050	
E-mail address:	skramsey53@att.net	craigcoffee1@gmail.com	

PROPERTY DESCRIPTION:

Street: Lockhart Street Address No.: 512Legal Description (if platted): Lots 38, 39 and 50, A.M. Ramsay Subdivision, Vol.89, Page 479

Proposed Subdivision Name (if not platted): _____

* a metes and bounds description is required if property is a partial lot or is not platted

Appraisal District Tax ID No.: R 38756, R38757, R38767Acres: 0.88 (1.10 Acres with 1/2
Perimeter Street R.O.W.)Current Master Plan Land Use Designation(s): Medium Density Residential

Property is located in: ☒ City Limits ☐ ETJ (County) _____

☐ San Marcos River Corridor ☐ Edwards Aquifer Recharge Zone

Total Land Area Within 100-Year Floodplain, if any N/A Acre(s)

Lien Holder(s) - for notification purposes:

Name: N/A

Mailing Address: _____

(If more than one lien holder, please provide information on a separate page)

A certificate of no tax delinquency must be attached to this application

11/09

PROPOSED DEVELOPMENT:

Proposed New Base Zoning Classification: TH

Proposed New Master Plan Land Use Designation(s), if any: No Change

Proposed Use(s) of Land and Buildings: Townhouse Residential

Number of Lots: 14 Residential Density: 10.9 (Units/Acre)

Total Number of Dwelling Units, if any: 12

Total Land Area Allocated to Non-Residential Use, if any: N/A Acre(s)

SUBMITTAL REQUIREMENTS:

- Application Fee of \$25 per acre (\$1,500 maximum) payable to the City of San Marcos.
- Name(s) and Mailing Address(es) of Property Lien-Holder(s), if any.
- If not platted, a metes and bounds legal description of the property.
- One Reproducible or 15 Non-Reproducible Copies of the proposed Land Use Plan.
- Written Development Standards
- If in the San Marcos River Corridor, an SMRC Development Application, if not incorporated in the PDD Development Plan, a separate SMRC site Plan.

I certify the preceding information is complete and accurate. If I am not the property owner of record, or if the applicant is an organization or business entity, I hereby affirm that I have been authorized to represent the owner, organization, or business in this application.

Signature: Craig A. Coffee

Date: 7/11/11

Printed Name: Craig A. Coffee

To be completed by Staff:

Meeting Date: Public Hearing 8/9/11

Application Deadline: 7/11/11

Accepted By: Sopha Nelson

Date: 07/12/11

** applicant is aware that if all comments are not addressed the final date will be moved back.*

SW

Nelson, Sofia

From: Steve Ramsey [skramsey53@att.net]
Sent: Tuesday, August 16, 2011 1:17 PM
To: Nelson, Sofia
Cc: Lewis, Matthew; Craig Coffee
Subject: 512 Lockhart Street Re-Zoning and PDD

Sofia:

I met with the neighborhood group last night. On behalf of the Owner, Craig A. Coffee, please accept this email providing our proposal to offer the following additional PDD Standards. These additional standards are proposed in response to the August 9th Planning & Zoning Commission public hearing and discussion and to address neighborhood comments. They are:

1. Currently, in Section VII Development Standards, A. Occupancy Restriction, the Standards state: "With this PDD, the development is not subject to the occupancy restriction for TH: Townhouse Residential District shown in Section 4.3.4.5 of the LDC." We propose to amend this section by adding two (2) additional restrictions that state: "2. Townhouse units will not be rented or leased by the bedroom. 3. Occupancy is further restricted as follows: For single (unmarried) persons or students, a maximum of one (1) person per bedroom is allowed. For married couples without children, a maximum average of one (1) person per bedroom is allowed. For one family with children per townhouse allowed, the number of persons per bedroom is not restricted."
2. So as not to encourage on-street parallel parking in Lockhart Street, we propose to delete the proposed on-street parallel parking currently shown on the Concept Plan. Off-street (on-site) parking is to be provided for up to 46 spaces. Parking provided is at the ratio of 0.96 spaces per bedroom. This proposal accounts for the acknowledgement that not all tenants in a particular townhouse will have a vehicle or need an on-site parking space.
3. Regarding on-site traffic circulation, and if deemed better by the City, we offer to reverse the on-site traffic flow to enter from Lockhart Street and exit to Uhland Road or First Street.

As a reminder, the PDD Standards already include the following:

1. Screening for adjacent properties to be provided with a six (6) foot high wood fence with the smooth side or outside face of the fence facing the adjacent properties.
2. Substantial architectural improvements proposed compared to existing conditions. Existing duplexes are aged and need to be replaced with superior product as proposed. Refer to Architect's Building Elevations/Renderings.
3. Low impact development methods for storm water management are proposed and include rain gardens, bio-retention swales/cells, grassy lined swales and pervious pavers for sidewalks. As a result, the project will be heavily landscaped.

If acceptable, please include this email in the Commissioners' packets for the August 23rd Planning & Zoning Commission meeting. Please call if you have any questions or need anything else.

Thanks,
Steve Ramsey, P.E.
Ramsey Engineering, LLC
TBPE Firm No. F-12606
512-650-6800



